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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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John W. Evans

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EXAMINER

DELCOTTO, GREGORY R

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

11/25/2009

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: JOHN W. EVANS and J. THOMAS LIGHT

Appeal No. 2009-009364
Application No. 09/935,982
Technology Center 1700

Mailed: November 25, 2009

Before ROGER L. WILLIAMS, *Chief Clerk of the Board*

ORDER DISMISSING APPEAL

On December 21, 2007, Appellants filed a Notice of Appeal. This application was subsequently received by the Board of Patent Appeals and Interferences on May 01, 2009. Appellants filed a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. The RCE will be treated as a request to withdraw the appeal.

CONCLUSION

Accordingly, it is hereby
ORDERED that the application is returned to the Examiner to:
1) consider the request to reopen prosecution filed July 30, 2009 as
required; and
2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the
Board of Patent Appeals and Interferences at 571-272-9797.

DMS/Ssl

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